



*Governor's Office of Planning and Budget  
116 State Capitol  
Salt Lake City, UT 84114  
Telephone (801) 538-2002  
Toll Free 1-888-854-4260*

## ***Utah Advisory Council on Intergovernmental Relations***

*Ken Bassett, Chair  
Commissioner Patrick Cone, First Vice Chair  
Senator Millie Peterson, Second Vice Chair*

*Mark Bedel, Executive Director  
John Bennett, Assistant Director  
Camille Hacking, Executive Secretary*

---

### **MINUTES**

**October 19, 2001**

**10:00 a.m.**

**Room 223, State Capitol**

#### **Members in attendance:**

Ken Bassett, Chair, Vernal City Manager  
Patrick Cone, Vice Chair, Summit Co.  
Chad E. Bennion, Representative  
Ted Boyer, Dept. of Commerce Director  
Chesley Christensen, Mt. Pleasant Mayor  
Margaret Dayton, Representative  
Palmer DePaulis, Tax Commission  
Linda Hamilton, South Ogden City Manager  
Robert Haywood, Dept. of Human Services  
Peter Knudson, Senator  
Ty McCartney, Representative  
Linda Ogden, Utah School Board Association Pres.  
Carol Page, Davis County Commissioner  
Millie Peterson, 2<sup>nd</sup> Vice Chair, Senator  
John Quick, Dept. of Transportation  
James Whitaker, Dept. of Workforce Services  
Lois Bulloch, Iron County Commissioner

#### **Members excused/absent:**

Janice Auger, Taylorsville City Mayor  
Randy Horiuchi, Salt Lake County Council  
Richard Walker, DCED  
Ann Wilcox-Hardy, Citizen Appointee  
Max Young, Representative

#### **Guests in attendance:**

Alex Berseris, Envision Utah  
Russ Cowley, Six County AOG  
Wes Curtis, GOPB  
Jerriann Ernstsens, State Energy Office  
Jerry Howe, Leg. Research & General Counsel  
Bill Howell, Southeastern AOG

#### **Staff in attendance:**

Mark Bedel, GOPB  
John Bennett, GOPB  
Camille Hacking, GOPB

### **I. Welcome and Introductions**

Mr. Ken Bassett, UACIR Chair, welcomed those in attendance and called the meeting to order.

### **II. Approval of Minutes**

**Senator Millie Peterson made the motion to approve the September 21, 2001 minutes as amended. Ms. Linda Ogden seconded the motion. The motion was unanimously approved.**

### III. Information on 2001 Intergovernmental Summit

Mr. John Bennett reported on the UACIR Summit held in August. This year a small profit of \$51.05 was made. The sponsorships were key to holding the Summit without a financial loss. Corporate sponsorships totaled \$1,250 in 2000 and \$2,000 in 2001.

A Summit De-briefing meeting was to be held directly following this meeting. This meeting was canceled. A planning discussion for the 2002 Summit will be on the November agenda.

### IV. Presentation on Envision Utah's New Energy Tool Box for Local Governments

Ms. Jerriann Ernstsens, Utah State Energy Office and Alex Beseris, Envision Utah addressed the Council. The Utah Energy Office in partnership with Envision Utah asked for UACIR's participation in a collaborative effort for the development of a chapter titled Energy: Strategies for Local Governments. The development of this chapter will be one of four additional chapters to be included in the Envision Utah's document: Urban Planning Tools for Quality Growth or commonly referred to as the Toolbox.

The first Toolbox was released in October 2000, which included chapters titled:

- , Preserving Sensitive Lands
- , Meeting Housing Needs
- , Creating Walkable Communities
- , Recycling and Unfile
- , Water Conservation.

The first edition was well received by many municipalities along the Wasatch Front. Since November 2000, over 1000 people have attended Toolbox trainings. Envision Utah is continually receiving requests from various groups and municipalities for future trainings.

Because of this continued interest in the Toolbox and Envision Utah's commitment to assisting local governments in quality growth, preservation of sensitive lands and saving natural resources, Envision Utah is creating a second edition of the **Urban Planning Tools for Quality Growth**. This **Toolbox II will include Energy: Strategies for Local Governments, Urban Forestry, Walkable Commercial Developments and an update of the Water Conservation** chapter.

Ms. Ernstsens encouraged UACIR members to contribute to the success of the Energy chapter through voluntary participation. By participating, members can help guide and shape the content of the proposed chapter by sharing their expertise and experiences. Members would also be able to collaborate with many other professionals that share similar interest in the area of energy. The goal of the Utah Energy Office and Envision Utah is to bring together many key stakeholders to help create this Energy chapter and to build consensus on strategies that will act as a model for regional cooperation.

The working group will typically meet for two hours a month beginning in October 2001 and concluding in January 2002.

John Bennett will attend the first meeting and will communicate with the energy subcommittee by e-mail about what transpires. The subcommittee may send additional members to subsequent meetings.

### V. Bill Requests for 2002 General Session of Interest to UACIR

Mr. John Bennett reviewed the Bill Request List for the 2002 Legislative Session. The Council

suggested staff continue to keep a list of bills organized by category. Mr. Ken Bassett suggested a Legislative Subcommittee be established. Ms. Linda Hamilton recommended the bill list be grouped in categories.

**Senator Millie Peterson made the motion to create a fourth subcommittee - Legislative Subcommittee - to review legislation and list bills in categories which correspond to the three subcommittees UACIR established this year. She also moved that the review include a fourth “catch all” category of bills that impact intergovernmental relations. Commissioner Carol Page seconded the motion. The motion carried unanimously.**

Mr. Mark Bedel suggested the Executive Committee be part of the Legislative Subcommittee. This includes:

, Mr. Ken Bassett  
, Commissioner Pat Cone  
, Senator Millie Peterson

Mr. Ken Bassett invited other Council members to join the Legislative Subcommittee. Mr. Palmer DePaulis offered to assist the Legislative Subcommittee on tracking bills that impact taxes or funding to local governments.

**Senator Millie Peterson made the motion to appoint Ms. Linda Hamilton chair of the Legislative Subcommittee which will include Mr. Ken Bassett, Commissioner Pat Cone and herself. Commissioner Carol Page seconded the motion. The motion carried unanimously.**

Ms. Linda Hamilton asked to be excused from the Water Subcommittee.

## **VI. Subcommittee Reports**

### **Energy Production and Conservation**

Mr. Palmer DePaulis, Chair reported that Energy Subcommittee met on October 11. Issues discussed included:

- 1) A possible increase in energy credit for residential and commercial buildings.
- 2) Net metering—this allows a home or business to create energy to diminish their costs. This is done by installing small generation capacity in a home or business, such as windmills or solar cells. These technologies produce all or part of the electricity need to power the home or business. Any excess power produced is given back to the grid, and the meter at a participating home or business runs backwards. Washington, Oregon and Wyoming are already permitting net metering in the PacifiCorp system. There is a small one-time fee to connect to the grid.
- 3) Technical Corrections to reflect administrative changes already made. Two state energy offices have been combined into one that is now housed at the Department of Natural Resources. Since these two offices existed in statute, but were consolidated by administrative order, The Utah State Code needs to be amended to reflect this change.
- 4) Revision of the Quality Growth Act to change the State Building Energy Efficiency Program. The Utah Quality Growth Act creates the State Building Energy Efficiency

Program. Under this program, one half of the energy savings will go to the state agency - one half will go to the LeRay McAllister Critical Land Conservation Fund to preserve open space and agricultural lands. There is a proposal to change the formula so all the energy savings go directly to the agency.

- 5) Energy production issues. PANDA Project in West Valley City.
- 6) Intermountain Power Project (IPP) has proposed to expand the Huntington power plant. Mayor Chesly Christensen indicated that the expansion of Unit 3 at IPP is going forwards. This may have an impact on energy production.
- 7) Streamlining the permitting process, this may shorten the public process time, and create Taxation issues for local governments. It also poses possible concerns about public safety which need to be resolved. There is some question now about whether this is necessary considering the recent drop in energy costs.
- 8) Security issues and Deregulation.

### **Water Resources Conservation, Development and Financing**

Water issues and corporate structures were discussed. Do water company structures meet the need of water users, irrigation and culinary water.

The financing of water was discussed including fees for service and property taxes.

The Council discussed the use of water and how irrigation water may be converted into culinary water.

Senator Millie Peterson gave an example of water use in the Midwestern part of the United States. Their legislative law requires them to use gray water. Gray water is the drain off from tubs, sinks, washers, etc. to put on grass and outdoor use. The subcommittee may want to consider whether similar programs could be established here.

### **Boundary Issues and Annexation**

Mayor Janice Auger, Chair was excused from the meeting. No report was given at this time.

## **VII. Redistricting Committee Report**

Representative Chad Bennion presented information on the Redistricting.

The Utah State Legislature met in September for the 2001 Second Special Session and adopted plans for Redistricting. The plans were drafted and adopted by the Redistricting Committee which was made up of the following legislators:

Rep. Gerry Adair, Chair  
Sen. Michael Waddoups, Chair  
Sen. Ron Allen  
Rep. Patrice Arent  
Rep. Chad Bennion  
Rep. Ron Bigelow  
Rep. Jackie Biskupski  
Rep. Katherine Bryson  
Rep. Don Bush

Sen. Gene Davis  
Sen. Beverly Ann Evans  
Rep. Brent Goodfellow  
Rep. James Gowans  
Rep. Wayne Harper  
Rep. Thomas Hatch  
Rep. Loraine Pace

Rep. Jack Seitz  
Rep. LaWanna Lou Shurtleff  
Sen John Valentine  
Rep Glenn Way

Representative Bennion showed council members the different redistricting plans for the State Senate, State House of Representatives, School Boards and for US Congress.

Some council members expressed concern about the process. Representative Bennion acknowledged the concerns, but he argued that a legislative redistricting process is more responsive to the people than a commission would be. If the state chose to use an independent commission, rather than a Legislative Committee, you would lose the accountability that comes from having Legislators make this decision. Commission members could not be voted out of office.

Representative Bennion explained that Population was the only criteria for determining boundaries. The Committee did not consider voting data or racial data to determine boundaries as these issues would inject bias into the process. The legislature set goal of being as close as possible to equal population in each district. Rep. Bennion reminded the council that Utah has never had a court challenge on Redistricting. The redistricting committee was mindful of that, and did not want to produce the first plan to be challenged in court.

The State School Board plan was passed as proposed. Now there are 15 state school board seats. The goal was to keep the current seats as whole as possible while balancing the need to provide representation for 155,000 more people.

Seventy-Five seats make up the House of Representatives District. House seats in the Salt Lake County dropped from 31 to 30. Growth took place in Southwestern Salt Lake County, while the population in northern and eastern parts of the County declined. This shifted population and seats in that direction. The target number is 30,000 people per House seat. Southwestern Utah also grew, and new seats were created there to absorb that growth.

Approximately 77,000 people make up each Senate District. There are twenty-nine Senate districts. While all the senate districts changed, there seemed to be less concern about the senate redistricting process than the house process.

The US Congress redistricting process showed the greatest change. Now, all three districts will have an Urban and Rural Component. The Second Congressional District is much different than it used to be. It was previously all in Eastern Salt Lake County. Now, it takes in part of eastern Salt Lake County, as well as most of eastern, southeastern and southwestern Utah. All three US Congress seats now include parts of Salt Lake County. If Utah wins its census lawsuit which is now before the US Supreme Court, the Fourth District will be all in Salt Lake County.

## **VIII. Administrative Matters**

The next UACIR meeting will be **Friday, November 30 at 10:00 a.m. in Room 223** of the Capitol.

*Minutes prepared by: Camille Hacking and John Bennett*

*This and all other UACIR information is available on GOPB's web site [www.governor.state.ut.us/uacir](http://www.governor.state.ut.us/uacir)*